

**AN ORDINANCE AMENDING THE DURHAM UNITED
DEVELOPMENT ORDINANCE BY TAKING THE HEREAFTER
DESCRIBED PROPERTY OUT OF PDR 0.220; F/J-B (partial), F/J-A
(partial) and RR; F/J-B ZONING DISTRICT AND ESTABLISHING
THE SAME MU(D); F/J-B and RR(D); F/J-A DISTRICT**

BE IT ORDAINED BY THE DURHAM COUNTY BOARD OF COMMISSIONERS:

**SECTION 1. THAT THE DURHAM COUNTY BOARD OF COMMISSIONERS
HELD A PUBLIC HEARING ON ZONING CASE Z0800003 AND VOTED ON
June 23, 2010 TO APPROVE THE ZONING MAP CHANGE REQUEST
DESCRIBED HEREIN.**

**SECTION 2. THAT THE DURHAM ZONING ATLAS AND UNIFIED
DEVELOPMENT ORDINANCE ARE HEREBY AMENDED BY TAKING THE
FOLLOWING DESCRIBED PROPERTY OUT OF PDR 0.220; F/J-B (partial),
F/J-A (partial) and RR; F/J-B ZONING AND PLACING THE SAME IN AND
ESTABLISHING THE SAME AS MU(D); F/J-B and RR(D); F/J-A ZONING.**

THE PORTION OF THE FOLLOWING DESCRIBED PROPERTY THAT IS
CONTAINED IN THE COUNTY'S JURISDICTION, AND TO THE CENTERLINES
OF ANY ADJOINING PUBLIC RIGHT-OF-WAYS:

PINs:

0717-03-34-0901, -44-0374, -2004, -3385, -04-32-9923, -52-4401

MU(D) District

Parcel 1 [Combined Proposed Tracts 1 and 2]

State of North Carolina, Township of Triangle, BEGINNING at an existing iron pipe on the Western right of way line of NC Highway 751 (variable width public right of way), said pipe being located at a Southeast corner of property now or formerly owned by United States of America (Deed Book 428, page 259; PIN 0717-03-04-8629) and being the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-24-9899); thence running along the Western right of way line of NC Highway 751 the following nine calls: (1) S32°52'44"E 1,507.27 feet to an existing iron pipe; (2) S32°33'08"E 210.87 feet to an existing iron pipe; (3) S32°41'34"E 366.69 feet to an existing iron pipe; (4) S58°26'43"W 9.97 feet to an existing iron pipe; (5) S33°05'59"E 122.53 feet to an existing iron pipe at the Southeast corner of property owned by Seven Five One Investments LLC (PIN 0717-03-24-9899) and the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 3222, page 481; PIN 0717-04-32-9923); (6) S33°01'32"E 608.40 feet to an existing iron pipe; (7) N58°50'41"E 10.12 feet to an existing iron pipe; (8) S32°57'53"E 415.55 feet to an existing iron pipe in the Eastern property line of Seven Five One Investments LLC (Book 3222, page 481) and at the North corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-04-52-4401); and (9) S32°56'08"E 1,106.42 feet to an existing iron pipe, the Southeast corner of Seven Five One Investments LLC (PIN 0717-04-52-4401) and the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-04-51-5855); thence turning and leaving the Western right of way of NC Highway 751 and running along the Northern

property line of Seven Five One Investments LLC (PIN 0717-04-51-5855) N89°14'00"W 268.97 feet to an existing iron pipe, the Northwest corner of Seven Five One Investments LLC (PIN 0717-04-51-5855) and the Northeast corner of Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-04-51-0985); thence running along the Northern property lines of Seven Five One Investments LLC (Deed Book 5700, page 967; PINs 0717-04-51-0985, 0717-03-41-3705, and 0717-03-31-9934) N89°29'56"W 1,579.97 feet to an existing iron pipe, the Northwest corner of Seven Five One Investments LLC (PIN 0717-03-31-9934) and the Northeast corner of Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-31-6712); thence running along the Northern property line of Seven Five One Investments LLC (PIN 0717-03-31-6712) N89°30'43"W 642.89 feet to a point; thence turning and leaving the Northern property line of Seven Five One Investments LLC (PIN 0717-03-31-6712) and running through the property owned by Seven Five One Investments LLC (Deed Book 3222, page 481) the following three calls: (1) N03°07'46"W 214.05 feet to a point; (2) N11°46'10"W 829.25 feet to a concrete monument in the Eastern property line of United States of America (Deed Book 404, page 664; PIN 0717-03-23-5086); and (3) N20°55'53"W 642.87 feet to a point in the Eastern property line of United States of America (Deed Book 404, page 664); thence turning and following the Eastern property line of United States of America (Deed Book 404, page 664) S86°37'55"E 386.03 feet to an existing iron pipe; thence turning and running along the Eastern property line of United States of America (Deed Book 404, page 664) and the United States of America (Deed Book 428, page 259) N16°46'38"W 176.43 feet to an existing iron pipe; thence continuing along the Eastern property line of United States of America (Deed Book 428, page 259) the following two calls: (1) N16°47'45"W 433.28 feet to an existing iron pipe and (2) N89°31'40"W 362.35 feet to a point; thence turning and running through the property owned by Seven Five One Investments LLC (PIN 0717-03-24-9899) the following two calls: (1) N18°37'15"W 640.07 feet to a point and (2) N26°47'35"W 703.44 feet to a point in the Eastern property line of United States of America (Deed Book 428, page 259); thence turning and running along the Eastern property line of United States of America (Deed Book 428, page 259) the following two calls: (1) N16°19'20"E 90.79 feet to an existing iron pipe and (2) N44°29'56"E 498.53 feet to a concrete monument; thence turning and running along the Southern property line of United States of America (Deed Book 428, page 259) the following two calls: (1) S73°14'47"E 857.25 feet to an existing iron pipe and (2) S86°33'52"E 24.92 feet to an existing iron pipe, THE POINT AND PLACE OF BEGINNING, containing approximately 144.775 acres and designated "Proposed Tract 1" and "Proposed Tract 2" on that survey titled "Rezoning Plat for Seven Five One Investments LLC of Colvard Farms Property" by Murphy Geomatics Professional Land Surveying dated December 2007.

Parcel 2 [Tract B]

State of North Carolina, Township of Triangle, BEGINNING at an existing iron pipe on the Western right of way line of NC Highway 751 (variable width public right of way), said pipe being located at a Southeast corner of property now or formerly owned by United States of America (Deed Book 428, page 259; PIN 0717-03-04-8629) and being the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-24-9899); thence running along the Western right of way line of NC Highway 751 the following three calls: (1) S32°52'44"E 1,507.27 feet to an existing iron pipe; (2) S32°33'08"E 210.87 feet to an existing iron pipe; (3) S32°41'34"E 366.69 feet to an existing iron pipe; thence turning and running into the right of way of NC Highway 751 N05°27'49"W

133.40 feet to an existing iron pipe, THE TRUE POINT OF BEGINNING; thence turning and running N32°37'02"W 414.82 feet to an existing iron pipe; thence turning and running the following two calls: (1) S86°16'29"E 10.45 feet to an existing iron pipe and (2) S86°24'07"E 216.17 feet to an existing iron pipe; thence turning and running S00°26'30"W 335.16 feet to an existing iron pipe, THE POINT AND PLACE OF BEGINNING, containing approximately 0.870 acre and designated "Tract B" on that survey titled "Rezoning Plat for Seven Five One Investments LLC of Colvard Farms Property" by Murphy Geomatics Professional Land Surveying dated December 2007.

RR(D) District

Parcel 1 [West of Proposed Tract 1 and East of United States of America (Deed Book 428, page 259)]

State of North Carolina, Township of Triangle, BEGINNING at an existing iron pipe on the Western right of way line of NC Highway 751 (variable width public right of way), said pipe being located at a Southeast corner of property now or formerly owned by United States of America (Deed Book 428, page 259; PIN 0717-03-04-8629) and being the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-24-9899); thence leaving the Western right of way of NC Highway 751 and following the Southern property line of United States of America the following two calls: (1) N86°33'52"W 24.92 feet to a point and (2) N73°14'47"W 857.25 feet to a concrete monument; thence turning and running along the Eastern property line of United States of America the following two calls: (1) S44°29'56"W 498.53 feet to an existing iron pipe and (2) S16°19'20"W 90.79 feet to a point, THE TRUE POINT OF BEGINNING; thence turning and leaving the Eastern property line of United States of America and running through the property owned by Seven Five One Investments LLC the following two calls: (1) S26°47'35"E 703.44 feet to a point and (2) S18°37'15"E 640.07 feet to a point in the Southern property line of Seven Five One Investments LLC and the Eastern property line of United States of America; thence turning and running along the Eastern property line of United States of America the following four calls: (1) N89°31'40"W 509.35 feet to an existing iron pipe; (2) N38°08'32"E 416.49 feet to an existing iron pipe; (3) N78°44'36"W 514.35 feet to an existing iron pipe; and (4) N16°19'20"E 836.51 feet to a point, THE POINT AND PLACE OF BEGINNING, containing approximately 9.172 acres and as shown on that survey titled "Rezoning Plat for Seven Five One Investments LLC of Colvard Farms Property" by Murphy Geomatics Professional Land Surveying dated December 2007.

Parcel 2 [West of Proposed Tract 2 and East of United States of America (Deed Book 404, page 664)]

State of North Carolina, Township of Triangle, BEGINNING at an existing iron pipe on the Western right of way line of NC Highway 751 (variable width public right of way), said pipe being located at a Southeast corner of property now or formerly owned by United States of America (Deed Book 428, page 259; PIN 0717-03-04-8629) and being the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-24-9899); thence running along the Western right of way line of NC Highway 751 the following five calls: (1) S32°52'44"E 1,507.27 feet to an existing iron pipe; (2)

S32°33'08"E 210.87 feet to an existing iron pipe; (3) S32°41'34"E 366.69 feet to an existing iron pipe; (4) S58°26'43"W 9.97 feet to an existing iron pipe; and (5) S33°05'59"E 122.53 feet to an existing iron pipe at the Southeast corner of property owned by Seven Five One Investments LLC (PIN 0717-03-24-9899) and the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 3222, page 481; PIN 0717-04-32-9923); thence turning and leaving the Western right of way line of NC Highway 751 and following the Southern and Northern property lines of Seven Five One Investments LLC the following two calls: (1) N89°29'10"W 578.53 feet to an existing iron pipe and (2) N89°26'33"W 821.38 feet to an existing iron pipe in the Eastern property line of United States of America (Deed Book 428, page 259), said point being the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 3222, page 481); thence turning and running along the Eastern property line of United States of America (Deed Book 428, page 259) and the Eastern property line of United States of America (Deed Book 404, page 664; PIN 0717-03-23-5086) S16°46'38"E 176.43 feet to an existing iron pipe; thence turning and continuing along the Eastern property line of United States of America (Deed Book 404, page 664) N86°37'55"W 386.03 feet to the TRUE POINT OF BEGINNING; thence turning and leaving the Eastern property line of United States of America (Deed Book 404, page 664) and running through the property owned by Seven Five One Investments LLC (Deed Book 3222, page 481) S20°55'53"E 642.87 feet to a concrete monument in the Western property line of Seven Five One Investments LLC (Deed Book 3222, page 481) and the Eastern property line of United States of America (Deed Book 404, page 664); thence turning and running along the Eastern property line of United States of America (Deed Book 404, page 664) N38°16'43"W 784.32 feet to an existing iron pipe; thence turning and running along the Eastern property line of United States of America (Deed Book 404, page 664) S86°37'55"E 256.66 feet to THE POINT AND PLACE OF BEGINNING, containing approximately 1.726 acres and as shown on that survey titled "Rezoning Plat for Seven Five One Investments LLC of Colvard Farms Property" by Murphy Geomatics Professional Land Surveying dated December 2007.

Parcel 3 [West of Proposed Tract 2 and North of United States of America (Deed Book 413, page 31)]

State of North Carolina, Township of Triangle, BEGINNING at an existing iron pipe on the Western right of way line of NC Highway 751 (variable width public right of way), said pipe being located at a Southeast corner of property now or formerly owned by United States of America (Deed Book 428, page 259; PIN 0717-03-04-8629) and being the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-24-9899); thence running along the Western right of way line of NC Highway 751 the following five calls: (1) S32°52'44"E 1,507.27 feet to an existing iron pipe; (2) S32°33'08"E 210.87 feet to an existing iron pipe; (3) S32°41'34"E 366.69 feet to an existing iron pipe; (4) S58°26'43"W 9.97 feet to an existing iron pipe; and (5) S33°05'59"E 122.53 feet to an existing iron pipe at the Southeast corner of property owned by Seven Five One Investments LLC (PIN 0717-03-24-9899) and the Northeast corner of property owned by Seven Five One Investments LLC (Deed Book 3222, page 481; PIN 0717-04-32-9923); thence turning and leaving the Western right of way line of NC Highway 751 and following the Southern and Northern property lines of Seven Five One Investments LLC the following two calls: (1) N89°29'10"W 578.53 feet to an existing iron pipe and (2) N89°26'33"W 821.38 feet to an existing iron pipe in the Eastern property line of United States of America (Deed Book 428, page

259), said point being the Northwest corner of property owned by Seven Five One Investments LLC (Deed Book 3222, page 481); thence turning and running along the Eastern property line of United States of America (Deed Book 428, page 259) and the Eastern property line of United States of America (Deed Book 404, page 664; PIN 0717-03-23-5086) S16°46'38"E 176.43 feet to an existing iron pipe; thence turning and continuing along the Eastern property line of United States of America (Deed Book 404, page 664) the following two calls: (1) N86°37'55"W 642.69 feet to an existing iron pipe and (2) S38°16'43"E 784.32 feet to a concrete monument, THE TRUE POINT OF BEGINNING; thence running through the property owned by Seven Five One Investments LLC (Deed Book 3222, page 481) the following two calls: (1) S11°46'10"E 829.25 feet to a point and S03°07'46"E 214.05 feet to a point in the Southern property line of Seven Five One Investments LLC (Deed Book 3222, page 481) and the Northern property line of Seven Five One Investments LLC (Deed Book 5700, page 967; PIN 0717-03-31-6712); thence turning and running along the Southern and Northern property lines of Seven Five One Investments LLC N89°30'43"W 196.88 feet to an existing iron pipe, the Northwest corner of Seven Five One Investments LLC (PIN 0717-03-31-6712), a Southeast corner of United States of America (Deed Book 404, page 664), and also in the Northern property line of United States of America (Deed Book 413, page 31; PIN 0717-01-01-9205); thence continuing along the Eastern property line of United States of America (Deed Book 404, page 664) the following two calls: (1) N75°00'42"W 519.06 feet to a concrete monument and (2) N30°11'02"E 1,029.17 feet to THE POINT AND PLACE OF BEGINNING, containing approximately 8.538 acres and as shown on that survey titled "Rezoning Plat for Seven Five One Investments LLC of Colvard Farms Property" by Murphy Geomatics Professional Land Surveying dated December 2007.

SECTION 3. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE.

SECTION 4. ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.